

PRIOR DV OFFENSES

House Bill 5281
Sponsor: Rep. Scott Hummel
Committee: Criminal Justice

Complete to 10-22-01

A SUMMARY OF HOUSE BILL 5281 AS INTRODUCED 10-17-01

Under the Michigan Penal Code, a person who commits domestic violence (assaulting or battering a spouse or former spouse, an individual with whom a person has a child in common, or resident or former resident of a person's household) and who has been previously convicted of domestic violence or certain assaultive crimes is subject to increased penalties.

House Bill 5281 would amend the Michigan Penal Code to include a domestic violence conviction or certain assault convictions that occurred in another state (or a violation of a local ordinance of another state) as a conviction that would count as a prior offense for purposes of determining whether the person would be subject to the penalty for a second or subsequent domestic violence offense.

(The penalty for a first domestic offense is a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500, or both. A second offense carries a fine of not more than \$1,000, imprisonment for not more than one year, or both. A third or subsequent domestic violence conviction results in a felony punishable by imprisonment for not more than two years, a fine of not more than \$2,500, or both.)

MCL 750.81

House Bill 5281 (10-22-01)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.